



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/025,088  | 12/18/2001  | Roy Want             | 42390P12019         | 4912             |
| 8791  | 7590        | 03/23/2006           | EXAMINER            |                  |
| BLAKELY SOKOLOFF TAYLOR & ZAFMAN<br>12400 WILSHIRE BOULEVARD<br>SEVENTH FLOOR<br>LOS ANGELES, CA 90025-1030 |             |                      | SMITH, SHEILA B     |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2617                |                  |

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/025,088

Applicant(s)

WANT ET. AL.

Examiner

Sheila B. Smith

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 11 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1,3-15,17-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tobin (U.S. Publication 2002/0077992) in view of Keenan et. al. (U. S. Patent Number 6,788,934).

***Regarding claim 1***, Tobin discloses a method and system for providing targeted advertising and personalized customer services. Tobin additionally discloses a portable device (which reads on a customer card 105), which includes a wireless communication module (which read on PTD 170) to communicate with each of a plurality of remote devices within a locality, a data storage module a public storage area with which selected remote devices exchange data in a relatively free manner, and a private storage area with which selected remote devices exchange data in a relatively restricted manner (which reads on paragraph 0007); and a controller (which reads on a user identity/account information block ) connected to the wireless communication module and to the data storage module (which reads on memory 215), the control communication of data between the wireless communication module and a first remote device by determining access rights associated with the first remote device to the public storage area and the private storage area (as exhibited in figure 2 and disclosed in paragraphs 0032, 0033).

Art Unit: 2681

However, Tobin fails to disclose a controller to establish a wireless communication link between the wireless communication module and a first remote device.

In the same field of endeavor Keenan et al. discloses a test system for remotely testing switches within a telecommunication network. Keenan et al. discloses disclose a controller (which reads on processor) to establish a wireless communication link between the wireless communication module and a first remote device (which reads on column 11 lines 45-54).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to improve Tobin by modifying the personal transaction device with secure storage on a removable memory device with a controller to establish a wireless communication link between the wireless communication module and a first remote device for the purpose of testing the system.

***Regarding claim 3,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a controller filters requests from each of the remote devices to exchange data and to selectively reject and accept the requests in response to the nature of services offered by the remote device (which reads on paragraphs 0027) .

***Regarding claim 4,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a controller defines access rights to the first and second storage areas and, dependent upon the access rights, allows the remote device to store and retrieve data from at least one of the first and second storage areas (which reads on paragraphs 0033).

***Regarding claim 5,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a digital certificate of authenticity is requested from the remote device prior to communicating data between the remote device and the private storage area (which reads on paragraphs 0032).

***Regarding claim 6,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a controller restricts how often and the amount of data which is writable by the remote device into the public storage area (which reads on paragraphs 0032).

***Regarding claims 7,8,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses data stored in the public storage area is selectively cleared by the controller in an automated fashion (which reads on paragraphs 0027).

***Regarding claims 9,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a Universal Plug and Play (UPnP) broadcasts (which reads on paragraphs 0032).

***Regarding claims 10, 11,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a wireless communication module is a radio frequency (RF) transceiver which communicates using a standardized communication protocol (which reads on paragraphs 0023).

***Regarding claims 12***, Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a controller selectively interfaces the portable device to a computer system to permit a user to access and store data in the data storage module (which reads on paragraphs 0024).

***Regarding claims 13***, Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a remote device is defined by another portable device within the locality (which reads on paragraphs 0024).

***Regarding claims 14***, Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a rechargeable power supply for powering its various components (which reads on paragraphs 0027).

***Regarding claim 15***, Tobin discloses a method and system for providing targeted advertising and personalized customer services. Tobin additionally discloses a portable device (which reads on a customer card 105), which includes a wireless communication module (which read on PTD 170) to communicate with each of a plurality of remote devices within a locality; a data storage module a public storage area with which selected remote devices exchange data in a relatively free manner, and a private storage area with which selected remote devices exchange data in a relatively restricted manner (which reads on paragraph 0007); and a controller (which reads on a user identity/account information block ) connected to the wireless communication module and to the data storage module (which reads on memory 215), the control

Art Unit: 2681

communication of data between the wireless communication module and a first remote device by determining access rights associated with the first remote device to the public storage area and the private storage area (as exhibited in figure 2 and disclosed in paragraphs 0032, 0033). However, Tobin fails to disclose a controller to establish a wireless communication link between the wireless communication module and a first remote device.

In the same field of endeavor Keenan et al. discloses a test system for remotely testing switches within a telecommunication network. Keenan et al. discloses disclose a controller (which reads on processor) to establish a wireless communication link between the wireless communication module and a first remote device (which reads on column 11 lines 45-54).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to improve Tobin by modifying the personal transaction device with secure storage on a removable memory device with a controller to establish a wireless communication link between the wireless communication module and a first remote device for the purpose of testing the system.

***Regarding claim 17,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a controller filters requests from each of the remote devices to exchange data and to selectively reject and accept the requests in response to the nature of services offered by the remote device (which reads on paragraphs 0027).

***Regarding claim 18,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a controller defines access rights to the first and second storage areas and, dependent upon the access rights, allows the remote device to store and

Art Unit: 2681

retrieve data from at least one of the first and second storage areas (which reads on paragraphs 0033).

***Regarding claim 19,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a digital certificate of authenticity is requested from the remote device prior to communicating data between the remote device and the private storage area (which reads on paragraphs 0032).

***Regarding claim 20,*** Tobin discloses everything claimed, as applied above additionally, Tobin discloses a controller restricts how often and the amount of data which is writable by the remote device into the public storage area (which reads on paragraphs 0032).

***Regarding claim 21,*** Tobin discloses a method which includes monitoring, by means of a portable device (which reads on a customer card 105), wireless communications from a plurality of remote devices requesting communications with the portable device within a locality (which reads on paragraphs 0012), the portable device including a data storage module a public storage area with which selected remote devices exchange data in a relatively free manner, and a private storage area with which selected remote devices exchange data in a relatively restricted manner (which reads on paragraph 0007); identifying access rights associated with the remote device (which reads on paragraphs 0022); and controlling (which reads on a processor) the communication of data between the remote devices and the private and public storage area dependent upon the access rights to the private and public storage area (as exhibited in figure 2 and disclosed in paragraphs 0033). However, Tobin fails to disclose a controller to establish a wireless communication link between the wireless communication module and a first remote device.



In the same field of endeavor Keenan et al. discloses a test system for remotely testing switches within a telecommunication network. Keenan et al. discloses disclose a controller (which reads on processor) to establish a wireless communication link between the wireless communication module and a first remote device (which reads on column 11 lines 45-54).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to improve Tobin by modifying the personal transaction device with secure storage on a removable memory device with a controller to establish a wireless communication link between the wireless communication module and a first remote device for the purpose of testing the system.

***Regarding claim 22,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a first storage area defines a public storage area with which selected remote devices exchange data in a relatively free manner, and the second storage area defines a private storage area with which selected remote devices exchange data in a relatively restricted manner (which reads on paragraph,0033).

***Regarding claim 23,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a controller filters requests from each of the remote devices to exchange data and to selectively reject and accept the requests in response to the nature of services offered by the remote device (which reads on paragraphs 0027).

***Regarding claims 24,25,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a controller defines access rights to the first and second storage areas and, dependent upon the access rights, allows the remote device to store and

Art Unit: 2681

retrieve data from at least one of the first and second storage areas (which reads on paragraphs 0033).

***Regarding claim, 26,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a digital certificate of authenticity is requested from the remote device prior to communicating data between the remote device and the private storage area (which reads on paragraphs 0032).

***Regarding claim 27,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a controller restricts how often and the amount of data which is writable by the remote device into the public storage area (which reads on paragraphs 0032).

***Regarding claims 28, 29,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a data stored in the public storage area is selectively cleared by the controller in an automated fashion (which reads on paragraphs 0027).

***Regarding claim 30,*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a Universal Plug and Play (UPnP) broadcasts (which reads on paragraphs 0032).

***Regarding claims 31, 32*** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a wireless communication module is a radio frequency (RF) transceiver which communicates using a standardized communication protocol (which reads on paragraphs 0023).

***Regarding claim 33,*** Tobin discloses a computer program product including a medium readable by a computer, the medium carrying instructions which, when executed by the

Art Unit: 2681

computer causes the computer to monitor, by means of a portable device (which reads on a customer card 105), wireless communications from a plurality of remote devices requesting communications with the portable device within a locality (which reads on paragraphs 0012), the portable device including a data storage module a public storage area with which selected remote devices exchange data in a relatively free manner, and a private storage area with which selected remote devices exchange data in a relatively restricted manner (which reads on paragraph 0007); identifying access rights associated with the remote device (which reads on paragraphs 0022); and controlling (which reads on a processor) the communication of data between the remote devices and the private and public storage area dependent upon the access rights to the private and public storage area (as exhibited in figure 2 and disclosed in paragraphs 0033). However, Tobin fails to disclose a controller to establish a wireless communication link between the wireless communication module and a first remote device.

In the same field of endeavor Keenan et al. discloses a test system for remotely testing switches within a telecommunication network. Keenan et al. discloses disclose a controller (which reads on processor) to establish a wireless communication link between the wireless communication module and a first remote device (which reads on column 11 lines 45-54).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to improve Tobin by modifying the personal transaction device with secure storage on a removable memory device with a controller to establish a wireless communication link between the wireless communication module and a first remote device for the purpose of testing the system.

**Regarding claim 34**, Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a first storage area defines a public storage area with which selected remote devices exchange data in a relatively free manner, and the second storage area defines a private storage area with which selected remote devices exchange data in a relatively restricted manner (which reads on paragraph,0033).

**Regarding claim 35**, Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a controller filters requests from each of the remote devices to exchange data and to selectively reject and accept the requests in response to the nature of services offered by the remote device (which reads on paragraphs 0027).

**Regarding claims 36, 37**, Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a controller defines access rights to the first and second storage areas and, dependent upon the access rights, allows the remote device to store and retrieve data from at least one of the first and second storage areas (which reads on paragraphs 0033).

**Regarding claim 38** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a digital certificate of authenticity is requested from the remote device prior to communicating data between the remote device and the private storage area (which reads on paragraphs 0032).

**Regarding claim 39** Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a controller restricts how often and the amount of data which is writable by the remote device into the public storage area (which reads on paragraphs 0032).

Art Unit: 2681

*Regarding claims 40, 41*, Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a data stored in the public storage area is selectively cleared by the controller in an automated fashion (which reads on paragraphs 0027).

*Regarding claim 42*, Tobin in view of Keenan et. al. discloses everything claimed, as applied above additionally, Tobin discloses a Universal Plug and Play (UPnP) broadcasts (which reads on paragraphs 0032).

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-42 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2681

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheila B. Smith whose telephone number is (571)272-7847. The examiner can normally be reached on Monday-Thursday 6:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S.Smith

March 19, 2006

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER